



Express Mail Label No. EV 447 217 479 US
Attorney Docket No. 1479/US (Formerly 11045.00)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Richard W. Trevino et al.

Application No. 10/039,070

Filed: December 31, 2001

For: TREADMILL

Confirmation No.: 9205

Art Unit: 3764

Examiner: Glenn E. Richman

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
(Under 37 C.F.R. § 1.97(c)(2) and § 1.98) AND
STATEMENT OF RELATEDNESS (Under M.P.E.P. § 2001.06(b))**

Sir:

The Examiner is requested to consider the references noted on the enclosed Form PTO/SB/08A during examination of the above-identified patent application. The references are submitted for the Examiner's consideration and are submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting the references, no representation is made or implied that the references are or are not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. Pursuant to the U.S. Patent and Trademark Office's July 11, 2003 waiver of the requirements of 37 C.F.R. § 1.98(a)(2)(i), only copies of the foreign references and other documents are provided. Copies of the U.S. patent references are not provided.

Pursuant to 37 C.F.R. § 1.98(a)(3)(i), any information disclosure statement filed under 37 C.F.R. § 1.97 shall include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 C.F.R. § 1.56(c) most knowledgeable about the content of the information, of each patent, publication or other information listed that is not in the English

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language. The concise explanation may be either separate from the specification or incorporated therein.

German patent No. DE 29 19 494 to Kummerlin et al shows an exercise apparatus with a left and a right foot plate (6). The front of each foot plate is supported at the end of adjustable length respective crank arms (5). Each crank arm is arranged to rotate about a common axis. The rear of each foot plate supports a pair of wheels (7), which roll back and forth in respective track (8) to translationally support the rear of the plates. During use, the front of each foot plate follows a circular path at the end of the respective crank arms. The rear of each foot plate reciprocates. Between the ends of the plates, where a user places his foot (10), the foot plates follow a generally elliptical path. Arm exercise members (11) are adjustable supported (14) to the front ends of each foot plate. As such, the arm members move in a pattern governed by the circular path of the front of each foot plate.

Also, the following foreign references are not in the English language:

- (1) German patent Nos. 24 28 515; 25 28 414, 36 01 184 A1, and 38 39 391 A1;
- (2) French patent Nos. 1 565 617;
- (3) Japanese patent No. 51-10842;
- (4) Soviet Union patent No. 546523, 1297879, and 1 567 221 A1;
- (5) Taiwan patent No. 547102; and
- (6) International publication No. WO 81/01960.

Therefore, in compliance with 37 C.F.R. § 1.98(a)(3)(i), an English translation of the abstract (from Derwent or esp@cenet Database – Worldwide located at <http://ep.espacenet.com>) or complete English translations are attached to these patents, which are enclosed, to satisfy the requirement for a concise explanation of relevance.

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), the Examiner is requested to consider the following applications commonly owned by the parent company of Assignee, Nautilus, Inc., of the present application and that may include subject matter similar to that of the present application:

- (1) U.S. application No. 10/789,294, filed February 26, 2004 (Atty. Dkt. No. 2071/US/2), pending;
- (2) U.S. application No. 10/789,182, filed February 26, 2004 (Atty. Dkt. No. 2072/US/2), pending;
- (3) U.S. application No. 10/789,579, filed February 26, 2004, (Atty. Dkt. No. 2076/US/2) pending;

- (4) U.S. application No. 29/176,966, filed February 28, 2003 (Atty. Dkt. No. 2074/US), pending;
- (5) U.S. application No. 10/637,628, filed August 11, 2003 (Atty. Dkt. No. 34037/US), pending;
- (6) U.S. application No. 29/201,898, filed March 22, 2004, (Atty. Dkt. No. 34105/US);
- (7) U.S. application No. 10/875,049, filed June 22, 2004 (Atty. Dkt. No. 33270/US/2), pending;
- (8) U.S. application No. 29/211,459, filed August 16, 2004 (Atty. Dkt. No. 34769/US), pending;
- (9) U.S. application No. 11/065,891, filed February 25, 2005 (Atty. Dkt. No. 34005/US/2), pending;
- (10) U.S. application No. 11/067,538, filed February 25, 2005 (Atty. Dkt. No. 34006/US/2), pending;
- (11) U.S. application No. 11/065,770, filed February 25, 2005 (Atty. Dkt. No. 34007/US/2), pending; and
- (12) U.S. application No. 11/065,746, filed February 25, 2005 (Atty. Dkt. No. 34103/US/2), pending.

Pursuant to 37 C.F.R. § 1.17(p), a check in the sum of \$180.00 is enclosed. If any additional fees are deemed necessary, such fees may also be charged to Deposit Account No. 04-1415.

If the Examiner has any questions, please contact the undersigned attorney.

Dated: April 1, 2005.

Respectfully submitted,



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Enclosures

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PTO/SB/08A (08-03) U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Substitute for Form 1449A/PTO		APPLICATION NO.:	FILING DATE:
		10/039,070	December 31, 2001
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		FIRST NAMED INVENTOR:	ART UNIT:
		Richard W. Trevino et al.	3764
		EXAMINER NAME:	ATTY. DOCKET NO.:
		Glenn E. Richman	1479/US (Formerly 11045.00)



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EXAMINER INITIALS*	Cite No. ¹	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (If known)	MM-DD-YYYY		
		219,439	09/09/1879	Blend	
		625,905	05/30/1899	Souder	
		683,124	09/24/01	Lange	
		782,010	02/07/05	Dodge	
		783,769	02/28/05	Wright	
		956,681	05/03/10	Clarke	
		1,015,071	01/16/12	Reach	
		1,166,304	12/28/15	Albert	
		1,239,077	09/04/17	Begg	
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		2,239,687	04/29/41	Parker	
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		2,603,486	07/15/52	Hughes	
		3,022,433	02/20/62	Ferranti	
		3,295,847	01/03/67	Matt, Sr.	
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		3,627,313	12/14/71	Schonfeld	
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		3,703,284	11/21/72	Hesen	
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		3,711,812	01/16/73	Cherry	
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		4,462,252	07/31/84	Smidt et al.	
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		4,681,316	07/21/87	DeCloux	
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		4,852,874	08/01/89	Sleichter, III et al.	
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		D303,414	09/12/89	Armstrong et al.	
		4,869,494	09/26/89	Lambert, Sr.	
		D304,849	11/28/89	Watterson	
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		5,000,440	03/19/91	Lynch	
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		D316,124	04/09/91	Dalebout et al.	
		5,007,630	04/16/91	Real et al.	
		5,026,046	06/25/91	DeCloux	
		D 321,388	11/05/91	Dalebout	
		5,029,801	07/09/91	Dalebout et al.	
		D 318,085	07/09/91	Jacobson et al.	
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		5,062,626	11/05/91	Dalebout et al.	
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		5,071,115	12/10/91	Welch	
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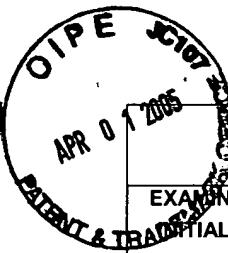
EXAMINER INITIALS*	Cite, No. ¹	PATENT NUMBER	ISSUE DATE	Name of Patentee of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		5,290,211	03/01/94	Stearns	
		5,299,992	04/05/94	Wilkinson	
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		5,302,162	04/12/94	Pasero	
		5,304,105	04/19/94	Hsieh	
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		5,346,452	09/13/94	Ku	
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		5,352,169	10/04/94	Eschenbach	
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APR 01 2005

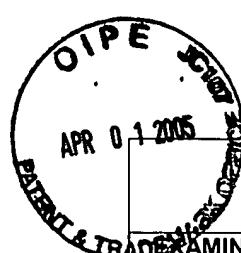
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